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HOUSE BILL 2530

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Nelson, Cody, and Upthegrove

Prefiled 01/07/08. Read first time 01/14/08. Referred to Committee on Agriculture & Natural Resources.

1            AN ACT Relating to studying the effectiveness of the existing  
2 hydraulic project approval process under chapter 77.55 RCW in  
3 protecting fish life; creating a new section; and providing an  
4 expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** (1) The department of fish and wildlife must  
7 conduct a study as to the effectiveness of the existing hydraulic  
8 project approval process under chapter 77.55 RCW in protecting fish  
9 life.

10           (2) The study required by this section must consider the  
11 effectiveness of legislative enactments, the actual implementation of  
12 those enactments by the department of fish and wildlife, and the impact  
13 that historic funding levels for the program have on the effectiveness  
14 of the program. The study must focus on both the level of compliance  
15 with chapter 77.55 RCW and on the final degree of fish life protection  
16 that is achieved even in instances of full compliance.

17           (3) If the study required by this section results in  
18 recommendations for change to the statutes, administration, or funding  
19 levels, those recommendations should be included in the final report.

1 (4) Prior to the final release of the study required by this  
2 section, a majority of the members of the fish and wildlife commission  
3 must vote to affirm that the study has been fully completed.

4 (5) The requirements of this section must be completed as readily  
5 as funds allow, while still allowing a full and complete study. To  
6 satisfy this section, the department of fish and wildlife may use any  
7 funds appropriated to it for this specific purpose, any available  
8 nondesignated funds in control of the department of fish and wildlife,  
9 and any private donations provided to the department of fish and  
10 wildlife for the purposes of this section.

11 (6) Until the requirements of this section are completed, and the  
12 legislature can obtain a better sense of the protections offered by  
13 chapter 77.55 RCW, the department of fish and wildlife may not, within  
14 the Maury Island aquatic reserve created by order of the commissioner  
15 of public lands on November 8, 2004, approve or renew any approvals  
16 under chapter 77.55 RCW for any commercial, industrial, or barge  
17 loading facilities.

18 (7) This section expires January 1, 2011.

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